

**Lincoln, Nebraska
September 10, 2008**

**JUSTICE BEHAVIORAL HEALTH COMMITTEE
*MEETING MINUTES***

The Justice Behavioral Health Committee (JBHC) of the Community Corrections Council (Council) met Wednesday, September 10, 2008, in Conference Room C, at Bryan LGH West, Lincoln, Nebraska. The meeting was open to the public and was preceded by advance publicized notice in the Lincoln Journal Star.

Members Present:

John Atherton
Jerome Barry, Co-Chair
Scott Carlson
Dave Carver
Thomas Glenn
Kathleen Grant
Lori Griggs
Anne Hansen
Jim Harvey
Scott Helvie
Julie Hippen
Randy Kohl
Linda Krutz
Dennis McChargue
Rick McNeese
Deb Minardi
Terri Nutzman
Michael Overton
Bruce Prenda
Nancy Probst
Brenda Rohren
Steve Rowoldt, Co-Chair
Julie Scott
Dave Wegner
Mark Weilage

Members Absent:

Michael Behm
Roxie Cillessen
Cathy Gibson-Beltz
Lee Kimzey
Dan Powers
T. Hank Robinson
Kathy Seacrest
Linda Wittmuss

Council Staff Present:

Nickette Allen
Tia Bachman
Jeffrey Beaty

Others Present:

Christine Salvatore

WELCOME & INTRODUCTIONS

Jerome Barry, LADC and Co-Chair, called the meeting to order at 9:06 a.m. and announced the meeting was subject to the Nebraska Open Meetings Act. Attendance is indicated above. Each member introduced him or herself and gave a brief statement about their association with JBHC.

APPROVAL OF MINUTES

Members reviewed the June 11, 2008 meeting minutes. No changes were noted.

A motion was made by Deb Minardi and seconded by Mike Overton to approve the June 11, 2008 minutes as presented. The motion passed unanimously by acclamation.

BYLAWS PRESENTATION

The final rendition of the Bylaws, dated 6-23-2008, was given to the committee members. No further changes were noted.

MEMBERSHIP VACANCY REVIEW

JBHC consists of thirty-two committee members. Four member positions are currently vacant.

Barry introduced Julie Scott as the proposed candidate for the Justice Treatment Specialist for Probation Administration vacancy. Scott said she has worked in the Justice Treatment Specialist position vacated by Christine Salvatore since July 2008. Scott has been a drug court supervision officer for the Lancaster County Adult Drug Court and an original Specialized Substance Abuse Supervision (SSAS) officer with probation when the program started in 2006. Scott most recently was the Drug Court Coordinator for District 16 Adult Drug Court and is currently obtaining her Masters in Counseling at Doane College.

A ballot vote was conducted and Julie Scott was elected as the representative for the Justice Treatment Specialist for Probation Administration.

Barry proposed Dan Powers fill the Director of Consumer Affairs for Behavioral Health, Department of Health and Human Services (DHHS) vacancy previously held by Joel McCleary. Jim Harvey, Division of Behavioral Health, DHHS, announced Powers is the Interim Director and will hold the position until a permanent person is hired. Harvey said Powers has held the position of Consumer Liaison in the behavioral health offices for over 15 years.

A ballot vote was conducted and Dan Powers (Interim Director) was elected as the representative for the Director of Consumer Affairs for Behavioral Health, Department of Health and Human Services position.

Barry said Christine Salvatore, LMHP, LMFT, was nominated as a candidate for the vacant Licensed Mental Health Practitioner (LMHP) position. Deb Minardi, Deputy Probation Administrator for Community Corrections Programs, said Salvatore was previously employed by Probation Administration as the Justice Treatment Systems Specialist and helped to implement the Standardized Model as well as the Fee for Service Voucher (Voucher) program. Salvatore was critical in training providers and staff in the use of the Standardized Model and Voucher program.

Barry then introduced Brenda Rohren, LIMHP, LMHP, LADC, as the second candidate for the vacant LMHP position. Rohren said she has a second Masters Degree in Forensic Science and is currently employed as a Mental Health and Substance Abuse Therapist with Community Mental Health Center (CMHC) in Lincoln, NE. The majority of her clients have three concurrent issues: criminal justice involvement, substance abuse, and mental health. Rohren provides substance abuse treatment to sex offenders as well as participating with the jail diversion program.

A ballot vote was conducted and Brenda Rohren was elected as the representative for the Licensed Mental Health Practitioner position.

Linda Krutz, Executive Director of the Community Corrections Council, said the Governor has not yet filled the two Council vacancies for behavioral health.

John Atherton, LMHP, announced he will be stepping down from the committee and the September 10, 2008 meeting is his last. Atherton will propose a candidate from the LMHP Licensing Board for his replacement via email to Barry, Steve Rowoldt, and Tia Bachman.

CURRICULUM SUB-COMMITTEE REPORT

The Performance Assessment Rubrics for Addiction and Criminal Justice Professionals report was tabled until the December 10, 2008 meeting.

LICENSING BOARD RECOMMENDATIONS

The recommendations from the LMHP Licensing Board (John Atherton), Licensed Alcohol and Drug Counselor (LADC) Licensing Board (Jerome Barry), and Board of Psychologists (Dave Carver and Mark Weilage) were tabled until the December 10, 2008 meeting.

DATA SUB-COMMITTEE REPORT

Dave Wegner, Deputy Probation Administrator, Information Systems, gave the Data Sub-Committee report. Wegner said the sub-committee met conjointly with the Uniform Data Committee on May 27, 2008.

Wegner listed members attending as:

Scott Carlson
Joan Dietrich
Mike Dunkle
Jim Harvey
Julie Hippen

Mike Overton
T. Hank Robinson
Marcella Short
Linda Wittmuss

Wegner said the sub-committee identified the following projects to work on: form better linkages, integrate systems, implement a social cost index, enhance data interfaces to correlate data better, assess the impact of cost ships, standardize codes between agencies, evaluate and track the impact of the Standardized Model, automate the Addictions Severity Index (ASI), assist Department of Correctional Services (DCS) and Parole with automating assessment instruments, and create a justice data extract in order to track an offender from the time of arrest to exiting the system.

The Uniform Data Analysis Fund, administered by the Council, monetarily supports the projects that can be accomplished with data analysis, linkages, interfaces, and integration. The sub-committee discussed the standard appropriations for Fiscal Year 2008-2009 as well as the forthcoming biennium budget. A request to increase the spending authority for the Uniform Data Fund has been made to the Council.

UNIFORM DATA ANALYSIS FUND

Mike Overton, Nebraska Commission on Law Enforcement and Criminal Justice, gave the Uniform Data Analysis Fund report. Overton said the Uniform Data Analysis Fund was created to respond to the needs of the Council to support data, statistics, and ongoing support to complete projects. It is made up of a one dollar court fee that amounts to approximately \$360,000-400,000 a year. Current spending authority set by the Legislature is \$360,000. Overton said a deficit appropriation of \$360,560 was obtained for fiscal year 2008-2009 to complete ongoing projects. There is currently a contract with Probation to enhance the Nebraska Probation Management Information System (NPMIS). There is also contract with DCS and Parole to automate the parole case management systems. Overton noted those contracts will more than likely continue into the fiscal years 2009-2010 and 2010-2011.

Barry would like data on the number of criminal justice clients who were evaluated were admitted to the level of care recommended, how many completed treatment, diagnosis breakdown, breakdown of level of care recommended, and how many completed what they were recommended to do.

Wegner said 90 percent of that data is currently collected with the Voucher program. Minardi said the Voucher program only reflects approximately 50 percent of offenders on probation. Wegner said approximately 21,500 offenders are on probation every day which includes 4,200 non-voucher eligible juvenile offenders. Of the remaining 17,300 adult offenders, 68 percent are on probation for misdemeanor charges

which includes the 52 percent Driving Under the Influence (DUI) misdemeanors which are not eligible. Only the remaining 32 percent felony offenders are eligible for the Voucher program.

Barry said that is a large population of offenders completing a standardized drug and alcohol assessment to not capture the treatment and outcome data. Nancy Probst, LADC, said the ASI could be used for that purpose since offenders are assessed with it upon entering the program and again in six months. Wegner said that is also why it is especially important to automate the ASI. Kathleen Grant, M.D. said the ASI doesn't give a level of care or diagnosis.

Barry asked if it was possible to create a grid and attach it to the end of the Standardized Model. Harvey said it would require staff for data entry, a place to house the data, someone to analyze the data, and money to staff those positions. Minardi said most of the information is already available in the electronic progress reports required for the Voucher program. Jeff Beaty, Council, said it would take a recommendation from JBHC to the courts in order to amend the Standardized Model. Julie Hippen, Community Corrections Council, said the Council's primary focus has been on the Voucher participants because of limited resources. If this is to be funded through the Council, there may not be resources available to expand.

Overton suggested Probation create a report on the subpopulation they currently have data on and see what can be gathered. Overton asked what the information from the report be used to accomplish. Jerome Barry, Kathleen Grant, Dennis McChargue, Deb Minardi, and Steve Rowoldt will come up with the data points to be gathered from the Voucher program.

2009 MEETING DATES

Barry will secure meeting rooms for the months of March, June, September, and December, and propose them at the December 10, 2008 meeting.

PROVIDER SUB-COMMITTEE REPORT

Probst gave an update on the Standards of Practice report. The report will be complete after a final change is made to the Glossary section. Rowoldt will present the report to the Council at the October 17, 2008 meeting. Once approved, the report will be sent out to all JBHC members.

Probst then presented a draft of the Peer Review Format for Standards of Evidenced-Based Practices (Peer Review). Harvey questioned who would give the Peer Review. Bruce Prenda, County Attorney, questioned the consequences of not doing the review and who would enforce those consequences. Minardi said the providers have been warned from the beginning that they could be audited.

Rick McNeese, Behavioral health Assistant Administrator for Substance Abuse, DCS, suggested providers conduct internal audits. Hippen asked if the auditors would be trained and if Training for Addiction Professionals (TAP) could provide an Evidence-Based Standards of Practice continuing education. Dave Carver, Director of Counseling & Student Development, University of Nebraska Medical Center (UNMC) noted it is not realistic to expect providers to be peer reviewers and mental health providers will not apply. Carver suggested sending the Peer Review to providers once a year and ask them if they are following the Standards of Practice and send it back to Julie Scott.

Barry asked if this could be put on the Council website in a draft format, and change the title to 'Quality Review'. Practitioners can use it as a tool to practice. Committee members agreed to change the title to Quality Review. McNeese suggested that the Quality Review be conditional with the Voucher program dollars and have facilities train one staff member to conduct the Quality Review. Krutz questioned what the guidelines were to pass or fail the Quality Review.

The Provider Sub-Committee along with Carver, Harvey, McChargue, Minardi, and Mark Weilage, will revise the Quality Review and change the standards being reviewed to be applicable to an internal review.

McNeese said Probation could send out a letter, Standards of Practice, and Quality Review in response to complaints so providers could perform an internal audit. Barry and Scott will draft a cover letter to describe the purpose of the Standards of Practice and Quality Review. Scott will then send an email to all registered providers telling them of the existence of the Standards of Practice once approved by the Council.

JUVENILE REPORT

Terri Nutzman, Director of the Office of Juvenile Services (OJS), gave the Juvenile Report. OJS is collaborating with probation by diverting resources to probation in order to keep substance abuse, mental health, and conduct disorder juveniles in the community longer and cut down on the length of time they spend as state wards.

OJS has contracted with Magellan to gather data for DHHS from service providers performing in home services to determine if they are doing what they are contracted to do.

Nutzman said the Youth Rehabilitation and Treatment Center at Kearney (YRTC-K) has been restructured to include a Facilities Operation Officer who is in charge of the operations of the facility. A new position of Program Director, in conjunction with the psychologist, will be implementing cognitive, behavioral, and evidence-based programs. A bid has been issued to renovate the living units into four pods which would include individual living spaces and meeting rooms within each of the pods. This would enable them to improve the staff to patient ratio in group therapy. At YRTC-Geneva another LMHP specializing in chemical dependency treatment has been added.

Nutzman described a proposal which would include a new facility to house both a 48 bed chemical dependency (CD) treatment program and 24 secure care youth. The 48 bed CD program will serve YRTC Kearney youth whose behavior has been stabilized enough to go into the program. The secure care section will be for the violent, aggressive youth who have been assessed by a psychiatrist stating the youth are not amenable to treatment.

PROBATION ADMINISTRATION UPDATE

Minardi gave an update on activities by the Probation Administration. Probation has recently completed an evaluation on the SSAS program conducted by UNMC under the direction of Dr. Kathleen Grant. The preliminary results of the SSAS program show promising results in overall outcomes for offenders participating in the program. Offenders were less likely to return to incarceration or have a positive drug test for methamphetamines. The SSAS evaluation will be made available on the Council website. Minardi said the SSAS population has recently expanded to include third offense and felony DUI.

The second round of Secure Continuous Remote Alcohol Monitoring (SCRAM) will begin next week. The technology allows for longer periods of sobriety and is used for offenders whose primary drug abuse is alcohol.

Rowoldt noted a meeting with Federal Probation, a part of the original committee, and requested a review of the Bylaws at the December 10, 2008 meeting to include the addition of a Federal Probation Officer to the committee.

PAROLE

Anne Hansen, Deputy Parole Administrator, gave the Parole report. Hansen said a Reentry Unit has been created with four parole officers covering all institutions to prepare inmates for parole. The officers will communicate with unit staff and bring information to the parole officers in the field. The parole officers will also manage the reentry furlough program. Inmates with short sentences will be released on furlough until their parole hearing.

Hansen said the training of all parole officers in Level of Service/Case Management Inventory (LS/CMI) will be completed in October.

COMMUNITY CORRECTIONS COUNCIL REPORT

Krutz said the minutes from the August 15, 2008 Council meeting was included in the packet. The current focus of Council staff is the biennium budget which includes pass through dollars for reporting centers, vouchers, and specialized courts.

INVITATION TO THE NEBRASKA JUSTICE BEHAVIORAL HEALTH STATEWIDE STRATEGIC PLANNING MEETING

Harvey invited all Committee members to attend the Nebraska Justice Behavioral Health Statewide Strategic Planning Meeting scheduled for October 10, 2008 from 9:00 to 4:00 at the Country Inns and Suites in Lincoln, NE.

Harvey said DHHS was awarded a Category II: Planning and Implementation grant from the US Department of Justice. DHHS has a project period from November 1, 2008 through October 31, 2011 and can receive a maximum of \$250,000. The five goals of the grant are:

- Provide statewide Crisis Intervention Team (CIT) training for Law Enforcement officers and make clear linkages with local crisis response teams;
- Expand or improve access to crisis stabilization services with improved coordination with law enforcement officers;
- Implement standardized mental health and substance abuse screening instruments in the jails that prompt referrals for services;
- Increase resources to community mental health to provide diversion services through the use of Forensic Intensive Case Management; and
- Enhance affordable supportive housing for justice involved youth transitioning to adulthood.

OTHER BUSINESS

Steve Rowoldt, Chief Probation Officer and Co-Chair, presented a letter from a Substance Abuse/Mental Health Therapist regarding the Standardized Model and Voucher program concerns. The therapist believes it is time to revamp the Standardized Model in the following ways:

- Dispense with the ASI and Adolescent Severity Inventory (CASI) as the standard for substance abuse evaluation information gathering, or at least make it clear that a completed ASI/CASI does not constitute a through clinical assessment;
- Establish set, measurable, objective criteria for level of care placement. Utilizing American Society for Addiction Medicine (ASAM) criteria should be a requirement; and

- Create and utilize a quality assurance protocol so sub-standard evaluators will not continue to take advantage of clients seeking substance abuse services.

The committee members will review the letter and make recommendations at the December 10, 2008 meeting.

Barry said the December 10, 2008 meeting will be his last meeting as Co-Chair. Barry will recommend a member from the Alcohol and Drug Licensing Board to replace him on the committee. Nominations for Co-Chair will be emailed to Rowoldt and Bachman.

PUBLIC TESTIMONY

There was no public testimony at this meeting.

ADJOURNMENT

The next meeting is scheduled for Wednesday, December 10, 2008, at 9:00 a.m., at Bryan LGH West Conference Room A in Lincoln, Nebraska.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Tia M. Bachman